

EJL

Notice of Allowability	Application No.	Applicant(s)	
	10/750,398	BELLIVEAU, RICHARD S.	
	Examiner	Art Unit	
	Wilson Lee	2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to _____.
2. The allowed claim(s) is/are 1-8.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 12-31-03, 8-15-05
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

Wilson Lee
Primary Examiner
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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Tencza Jr. on October 3, 2005.

The application has been amended as follows:

In claim 1, line 12, "may" is deleted.

Non-elected claims 9-17 are canceled.

Allowable subject matter

Claims 1-8 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art neither discloses nor suggests the following limitations, in combination with the remaining elements disclosed in claims 1 and 8:

a memory; wherein a cutoff value representing an amount of accumulated operating time at which the lamp begin to operate improperly is stored in the memory; wherein an accumulated value representing an actual accumulated amount of operating time of the lamp is stored in the memory; wherein the processing system prevents the lamp from operating when the accumulated value is within a limit of the cutoff value, unless the processing system grants a request for a variance; wherein when the processing system grants a request for a first variance, the processing system allows

the lamp to operate after the accumulated value is within the limit of the cutoff value such as required by claim 1.

a memory, wherein an accumulated value representing an accumulated amount of operating time of the lamp is stored in the memory; and wherein a lamp life warning regarding any of the lamps of any of the plurality of image projection lighting devices is sent to the central controller to the attention of an operator without operator inquiry such as require by claim 8.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

IDS

Several references cited in the IDS dated 12-31-03 and 8-15-05 have been withdrawn from consideration because they fail to disclose any publication dates and author's names to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP 609.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Belliveau (6,605,907) discloses an image projection comprising similar structure but no double patenting rejection has been found between instant the application and the '907 patent. Hughes et al. (6,515,435) discloses a lighting system comprising a digital signal processor, a controller, a registry and a non-volatile memory

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for detecting lamp faults and store the amount of operating time of the lamp but fails to disclose any lamp life warning regarding any of the lamps and cutoff time limit.

Pujol et al. (6,412,972) cited in IDS discloses a digital light protection apparatus with digital micromirror device and rotatable housing comprising a CPU for controlling the rotation. Perry (6,219,093) cited in IDS disclose an image projector comprising a CPU for controlling the motion and focusing the intensity. Jessl (6,099,128) cited in IDS discloses a beam projector comprising image generator for controlling the rotation of the X and Y axis, adjustment means for focusing lens and zooming the image. Washburn (5,399,947) discloses a dynamic color separation display comprising a timer and a signal processor for controlling the timing and processing signals to the image beam.

The prior art cited above do not disclose the claimed invention.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Wilson Lee whose telephone number is (571) 272-1824.

Papers related to Technology Center 2800 applications may be submitted to Technology Center 2800 by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The official fax number is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Wilson Lee
Primary Examiner
U.S. Patent & Trademark Office

10-3-05